

5. Defendants have not filed a responsive pleading in the State Court Action.
6. All pleadings and other filings in the State Court Action are attached as exhibits to the Notice of Removal filed concurrently with this Affidavit.
7. The Complaint purports to assert a cause of action for false advertising in violation of Section 43(a) of the federal Lanham Act, 15 U.S.C. §1125(a). (Complaint ¶¶ 68-76)
8. On information and belief, the other causes of action in the Complaint are so related to the Lanham Act claim and/or arise from the same or similar facts and circumstances as the Lanham Act claim that they form part of the same case or controversy as the federal Lanham Act claim.


FURTHER AFFIANT SAYETH NAUGHT.



Edward Fenno

Sworn to and subscribed before me

this 24th day of March, 2023



Notary Public for South Carolina
My Commission expires: 07.09.2030